

Naples City Council September 12, 2013 Minutes

The regularly scheduled meeting of the Naples City Council was held September 12, 2013, 7:30 p.m., at the Naples City Office, 1420 East 2850 South, Naples, Uintah County, Utah.

DATE, TIME & PLACE OF MEETING

Council members attending were Dean Baker, Robert Hall, Gordon Kitchen, Dennis Long, Dan Olsen and Kenneth Reynolds.

COUNCIL MEMBERS ATTENDING

Others attending were Jim Harper, Kelly Joseph, Julie Romane, Scott Hiatt, Rob Heywood, Craig and Lana Goodrich, Ryan Wilkey, Sidney and Staci Moho, Rachan Brown, Connie Patton, Ryan Cook and Nikki Kay.

OTHERS ATTENDING

At 7:30 p.m. Mayor Baker welcomed everyone and called the meeting to order. Mayor Baker opened the meeting with the pledge of allegiance. Councilman Dennis Long offered the invocation.

OPENING CEREMONY

Mayor Baker asked for approval of the agenda. Kenneth Reynolds **moved** to approve the agenda. Robert Hall **seconded** the motion. The motion passed with all voting aye.

AGENDA APPROVED

Mayor Baker asked for approval of the minutes of the August 22, 2013 regular City Council meeting. Mayor Baker made one clarification to his comments concerning the drainage issue on 1500 South. Dennis Long **moved** to accept the minutes with the noted change. Robert Hall **seconded** the motion. The motion passed with all voting aye.

MINUTES APPROVED

Mayor Baker asked for approval of the minutes of the September 3, 2013-special meeting. Robert Hall **moved** to approve the September 3rd minutes. Dan Olsen **seconded** the motion. The motion passed with all voting aye.

Mayor Baker asked if there was anything to discuss or follow up on from the meeting of August 22, 2013. Councilman Long questioned the expenditure for a new door at the shop and wanted to know if the item for discussion on this agenda was the same door that was approved at the last meeting. Mayor Baker said the door that was approved at the last

FOLLOW UP ITEMS FROM PREVIOUS MEETING

meeting was a new door going into the office at the shop.

Connie Patton presented the bills in the amount of \$55,086.85 and asked for approval to pay them. Dan Olsen **moved** to approve payment of the bills in the amount of \$55,086.85. Robert Hall **seconded** the motion. The motion passed with the following vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

APPROVAL OF THE BILLS

A business license request for **King Tut Transport** located at 915 East 2500 South was received by the Council for their approval. Nikki Kay reported that Craig reviewed this request and recommended approval of the license. She stated the applicants signed the Home Occupation agreement and know they need to abide by those conditions. Dennis Long **moved** to approve the license. Kenneth Reynolds **seconded** the motion. The motion passed with all voting aye.

BUSINESS LICENSE APPROVAL

A business license application was received from **Paragon Automation** located at 1611 South 1500 East. Mayor Baker said the business is located in the correct zone. Gordon Kitchen **moved** to approve the license and to follow up on the sales tax number. Robert Hall **seconded** the motion. The motion passed with all voting aye.

A business license application was received from **Rig 1, Inc.** located at 1748 South 1500 East. Mayor Baker said the business is in the correct zone and he didn't see any problem with it. Dennis Long **moved** to approve the business license. Kenneth Reynolds **seconded** the motion. The motion passed with all voting in the affirmative.

Rob Heywood came before the Council to discuss the request to re-zone the Pheasant Run Subdivision. Mr. Heywood gave Council members a plat showing what was originally approved back in 2006 and also a map showing what they hope to propose under an R-2 zone. Mr. Heywood wanted to address some of the concerns that came up during the public hearing with Planning and Zoning to request a re zone of the subdivision to an R-2. Councilman Olsen wanted to know if this was the same plat Mr. Heywood showed them a couple

DISCUSSION REGARDING RE ZONE REQUEST FOR PHEASANT RUN SUBDIVISION

of weeks ago. Mr. Heywood said it is and that he might also be able to address Councilman Olsen's concern about the turn about at the bottom of the subdivision. Mr. Heywood said there are two parks slated for the subdivision, one will be at the far eastern side of the property and he gave Councilman Olsen the dimensions for that park because of the suggestion given to make the area big enough for a turn around of an emergency vehicle. Mr. Heywood said the eleven slots are 20 feet deep and 9 feet wide with a 30-foot turn lane behind that. He said that gives 135 feet from end to end which should be adequate room for a turn around. Councilman Olsen asked Jim if that would be enough for the snow plow. Jim said the truck with the plow is about 35 feet. Councilman Olsen asked Mr. Heywood about the road width in the subdivision. Mr. Heywood said the City requires either 40 or 44 feet of asphalt and the right of way has not changed. Mr. Heywood said the first phase of the subdivision has narrower asphalt but the right of way width is the same. Councilman Olsen asked about the irrigation line of Mr. Hacking. Mr. Heywood said the solution that makes the most sense is to relocate the line under the road and onto Mr. Hacking's property. Mr. Heywood said they are willing to do that or to look at other options. Mr. Heywood said Mr. Hacking was okay with that alternative or they would have to look at putting easements through yards. Mr. Heywood wanted to make sure the Council knew that he is aware of the line and they will deal with it. Mr. Heywood said the line is not mapped anywhere and it has made it a challenge. Mayor Baker apologized that he had to step out a minute to take a phone call and asked Mr. Heywood again about the width of the road. Mr. Heywood said whatever the City's standard is that is what they will do. Jim Harper asked if he could meet with Mr. Heywood to review the turn around. Mr. Heywood said he would be happy to meet with him but wanted them to understand he is not coming before them with a plat just trying to address some of the concerns about the rezone. Mr. Heywood said he felt like most of the concerns seemed to come down to three things. He said the first concern seemed to be about multi family dwellings and he said there will be no multi family units in the subdivision and he said, by a developer's agreement, they would agree to never have any multi family dwellings. Mr. Heywood said the second concern was traffic. He pointed out the 2780 south road on the map and said that will give them another outlet into and out of the subdivision onto 500 East. Mr. Heywood said they gave up one of the cul-de-sacs in order to provide that road. Mr. Heywood said they also gave up

one of the cul-de-sacs in order to put in a park. He said the park will serve two purposes, it will help with the storm water retention by providing a place for the water to slow down while it continues down its natural drainage path and it will also provide a place for the children to play. Mr. Heywood said the park area would be about 1.4 acres between the two parks. Councilman Kitchen said they will have two roads going onto the subdivision from 500 East and one that will exit into High Country Subdivision, so he would basically have three exits out of the subdivision. Mr. Heywood said they will have another one if the subdivision expands down to the easement at 1000 South. Mr. Heywood could over hear some of the Council members discussing the park and said he has done quite a bit of research on parks and said, even though this will not be a soccer field, he has learned that even a fifth of an acre can be used effectively for "tot lots" and soccer goals. He said one area could be used for toddlers and another for youth and they call them "pocket parks." Councilman Hall wanted to know if part of the park is used for water retention how much area would be left for a park. Mr. Heywood said he doesn't have those calculations yet but thought there should still be enough room according to a similar park near his home. Mr. Heywood said the third concern brought up at the public hearing was the width of the lots and he believes with the shuffling they have done on the lots that the average frontage should be about 95 feet. Councilman Long wanted to know what the smallest lot was on the frontage. Mr. Heywood believed it was 83' with the largest at 160'. Councilman Kitchen wanted to know what the current lots with houses are averaging. Mr. Heywood stated they are about 86'. Mr. Heywood also wanted to address the on street parking. He said they would like to allow enough room on one side of the house to allow for RV or additional parking. He thought they would like to try and add an additional 4' on the side set back and that is something they would look at to see if it's possible. Mayor Baker wanted to know what Mr. Heywood was after at this time. Mr. Heywood said he is asking to change the zone to an R-2, with the condition that he come with a developer's agreement to include the details they have discussed like the no multi family dwellings. Mayor Baker asked if anyone in the audience had any questions or concerns they wanted to express.

Craig Goodrich said he has a couple of questions. Mr. Goodrich said he owns some of the property bordering the subdivision and was glad Mr. Heywood addressed the issue

of storm water. Mr. Goodrich wanted Mr. Heywood to be aware of his irrigation line that feeds his property and runs parallel to Mr. Hacking's line. Mr. Heywood asked Mr. Goodrich to show him on the map where his line runs. Mr. Goodrich said he just worried in case there was ever a leak. Councilman Kitchen asked Mr. Goodrich what their irrigation line was called. Mr. Goodrich stated it was the Stella Boren line. Mr. Heywood wanted to know who that was. Mr. Goodrich said it was just a group of people that participated in a particular pipe line and that is what it was called. Councilman Kitchen said Mr. Heywood might be able to get the records from Andrea Merrell. Ryan Wilkey asked about the water rights they are discussing in the subdivision. Mr. Heywood said they are still trying to determine the locations of those lines. He said Mr. Hacking pretty well knows where his are but not exactly or how deep they go. Councilman Kitchen told Mr. Heywood he thought one of his lots would be tied up with irrigation line right of ways because if a line breaks they would need to be able to get access to them with a backhoe. Mr. Heywood said, because they don't have all the information they need, they would like to obtain that and come back with a real plat for approval. Mayor Baker asked Councilman Reynolds about his concerns. Councilman Reynolds said he has always wanted the 100' frontage lots and said he could only find eleven lots on the map with frontages over 100'. He asked Mr. Heywood how he came up with an average of 95'. Mr. Heywood said he has all the lots written down with the frontages and the square footage and that is how he came up with the numbers. Mr. Goodrich wanted to know how they inform property buyers that their lot might be impacted by an irrigation line. Mr. Heywood said those would be noted on the plat but they need to know where those are. Mr. Goodrich wanted to know who would have the liability if the line breaks. Mr. Heywood was not sure but he hoped to be able to avoid that and said they wouldn't have a plat that doesn't address the easement or right of way. Mayor Baker asked if there were any more comments from the public. With no other comments, Mayor Baker wanted to know what the Council wanted to do at this time. Councilman Kitchen thought it should go back to the Planning Commission. Mr. Heywood said he has already been through the public hearing process with the Planning Commission with a negative recommendation but he was asking the City Council for a zoning change to an R-2 and he would take the final plat back to the Planning Commission for approval. Councilman Kitchen wasn't sure he needed to go back to the Planning Commission but he wasn't sure he was

ready to make a motion without seeing the developer agreement. Mayor Baker said they could approve the zone change with the stipulation that all of the conditions discussed are met. Mayor Baker thought things could still move along with the zone change and the final plat would still have to be approved by the Planning Commission and the Council with the criteria they discussed, the irrigation lines plotted, drainage issues, and the park. Councilman Reynolds said they are bypassing the recommendation of the Planning Commission just because Mr. Heywood has tried to appease the Council. Councilman Reynolds said the Planning Commission rejected the request based on what was presented to them and now all these changes have been made and the Planning Commission has not had a chance to review those and make suggestions or recommendations. Mr. Heywood said his understanding of the process is they have already had a public hearing and as a result of the public hearing they had a negative recommendation but he's addressed the changes and addressed the concerns and was seeking approval of the City Council for the zone change and then they can go to the Planning Commission for the plat approval. He said that is when they would address the details of the developer's agreement. Mr. Heywood said the Council would not give final plat approval without those details being included. Mr. Heywood said the zone change is what allows him to continue through the process. Councilman Kitchen said his concern is if they make a change to an R-2, the R-2 allows for anyone to come in to build and challenge the zone because it allows certain things. Councilman Kitchen said an R-2 doesn't require a developer's agreement, even though he trusts Mr. Heywood to follow through on what he's promised. Mayor Baker said they could make it a part of the motion and as part of the building permit process, that the stipulations they have discussed would have to be in effect before building or construction. Mr. Heywood suggested that the conditions of the developer's agreement be in place before they can even get plat approval. Council Kitchen said the motion should be to agree to a zone change based on the fulfillment of the responsibilities by the developer as discussed and wanted to know why they couldn't see that up front. Mayor Baker said they can't really do that until they have the zone change. Councilman Reynolds wanted to know if it could stay the same until they have the plat. Mayor Baker said that's not usually the process. Councilman Hall said either way they go they are making conditions. Mr. Heywood said the stipulations also have to be approved by the City Attorney. Councilman Long wanted to know what happens if

things fall apart and Mr. Heywood had to sell everything, what would happen with the developer's agreement. Mr. Heywood said the agreement would be part of the plat and the phrase Mr. Judd used was, it would run with the land and not the developer. Mayor Baker said he was okay with accepting a motion to approve a zone change to an R-2 zone based on the conditions they have discussed being met. Councilman Olsen wanted to know what the list would include. Councilman Hall said he wrote down the parks, no multi family dwellings, the two irrigation pipes, and the two exits out of the subdivision. Councilman Olsen wanted to know about a right of way agreement with the irrigation line users. Councilman Kitchen said it was a good idea to run the line for Mr. Hacking under the road but still thought they needed to address the issue of where it crosses the lots. Mr. Heywood stated that in speaking with Mr. Hacking, he would like to see them move the line so it doesn't run across property. Councilman Kitchen pointed out they will still have the line running on the backside of fifteen lots that might be impacted. Mr. Heywood said they understand that. Mayor Baker said they also need to maintain the proper required road width. Mr. Heywood said they would design it to the current City standard or spec. Councilman Olsen said the water retention would also need to be addressed. Mayor Baker mentioned the future easement onto 1000 East. Councilman Kitchen had one last question about the plat, he wanted to know if they were just going to do one more phase and if so would 750 E and 2780 S roads be addressed immediately. Mr. Heywood said that would be correct because they are currently under contract with the City to finish 750 East and that will be the next phase completed. Councilman Kitchen said he felt that 2780 S should be built all the way to 1750 E (possibly 750 E as there is no 1750 E) because the concern is the exiting of traffic and, in his opinion, would need to be included in the next phase. Mr. Heywood said the City requires or allows final plat approval for thirty-five lots at a time. He said they will get preliminary plat approval and then will come back for specific phasing plans with final approval on the phases. Councilman Kitchen said that should be included as one of the conditions they have discussed. Mayor Baker asked Mr. Heywood if they were willing to do that. Mr. Heywood said absolutely. Dennis Long **moved** to approve the zone change with the conditions listed and discussed. Robert Hall **seconded** the motion. The motion passed with the following vote:

Robert Hall

Aye

Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Nay
Gordon Kitchen	Aye

(Conditions discussed as understood by Mr. Heywood: a.

- Prohibits multifamily units to be built in the subdivision;
- b. Requires the two known irrigation lines on Pheasant Run property serving the neighboring properties to be shown on the plat with a 10-foot easement or right of way for maintenance of the irrigation lines;
- c. Requires either the relocation of the north leg of the Hacking irrigation line to be under 750 E, or to configure lots in phases 1A and 2 in such a way we can provide an easement or ROW for line maintenance;
- d. Requires dedication of land to City for parks (1.43 acres in strategic locations shown on drawings used for re-zone approval in the 9/12/13 city council meeting);
- e. Requires the retention of on-site storm water (in designated park areas) to slow the flow of storm water leaving Pheasant Run Estates property to its historical rate toward its historical drainage;
- f. Requires 2780 South to reach 500 East, providing a second point of access into the subdivision (as shown on drawings used for re-zone approval in 9/12/13 city council meeting);
- g. Requires land on the east boundary of our property to be dedicated to the city for eventual construction of 1000 East;
- h. Requires the Pheasant Run Estates phasing plan to prioritize the construction of 750 E and 2780 S (from 500 E to 750 E) in the next phase.

Chris Hoem presented a travel request to attend an economic development meeting in Salt Lake City and would be traveling with the Planners and Economic Development Director from the other agencies. The amount requested for travel was \$171.60. Dan Olsen **moved** to approve the request. Robert Hall **seconded** the motion. The motion passed with the following roll call vote:

***TRAVEL APPROVAL FOR
CITY PLANNER***

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Jim Harper asked to attend the APWA Fall Storm Water Expo, along with Ryan Cook, in Sandy. Mayor Baker wanted to know what kind of storm water they were talking about, was he talking storm water off of roads or off of construction sites. Jim said it would be anything that would affect the environment. Jim said they would like to get certified in working with the EPA. Jim said they would be getting a certificate based on federal standards through the EPA. Jim said the larger cities have to be certified and this will give them the knowledge they need and help prepared them if they are ever required to be certified. Councilman Hall wanted to know if Jim would then be driving around and checking on construction sites. Jim said yes. Councilman Hall wanted to know how he would enforce any violations. Jim said they aren't to that point yet, they are just to the education point and it can work through reports sent to the State if they need to. Councilman Reynolds wanted to know if the money was in his budget. Jim said it is. Kenneth Reynolds **moved** to approve the request. Dennis Long **seconded** the motion. The motion passed with the following vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Kelly Joseph with Timberline Engineering and Vance King with CIVCO Engineering were in attendance to discuss their proposals to correct drainage issues at 2000 East 500 South and 1500 South 2500 East. Mr. Joseph started with the golf course corner and said they propose redoing 450' of the road around the radius. He said they want to redo the road, take out the asphalt, bring in new granular borrow, new road base and new asphalt, put in new curb and gutter, keep the existing inlet box but re-grade it so they can capture all of the water. Mayor Baker asked if there would be curb and gutter on both sides. Mr. Joseph said it would be just the inside. Mr. Joseph said the property owner on the corner would like to see them do curb and gutter to help prevent people running into his fence. Mayor Baker asked if there would be any alignment change on the road. Mr. Joseph said no horizontal alignment. Mr. Joseph said there are some issues on the corner and they will address how the curve relates to the property owner's property but didn't feel like they could make the curve go away from the property

***TRAVEL APPROVAL FOR
ROAD DEPARTMENT***

***DISCUSS AND APPROVE
ENGINEER'S BIDS FOR
DRAINAGE CORRECTION
AT 2000 EAST 500 SOUTH
AND 1500 SOUTH 2500
EAST***

because of power poles, utilities, and irrigation.

Mr. Joseph then explained their proposal for 2500 South. He said they want to reshape a portion of the road and put in a slotted drain. He said it is about 400' of a long skinny curb inlet box. Mayor Baker wanted to know where they proposed putting that. Mr. Joseph said they would put it where the curb normally would be. Mr. Joseph said they would like to add three clean up boxes to help with maintenance. Mayor Baker wanted to know where they would be sending the water. Mr. Joseph said they will be sending it to the gulch that is to the west. Mr. Joseph also explained that the other interesting thing about this drain is they can angle the pipe so it pulls the water away from where the problem is. Mr. Joseph said they are talking about reshaping the road but they will only take the asphalt off and they will bring in some new road base to bring the crown back into the road. Mayor Baker wanted to know if the ditch overflowed would it go back into the culvert and not into the road. Mr. Joseph said yes. Councilman Long wanted to know what happens with all the loose gravel if they chip seal the roads, will it fill up the drains? Mr. Joseph showed how they put a cap over the top that helps protect what goes into the drain. Mr. Joseph said if it can go past the opening it can go down into the pipe.

Vance King with CIVCO Engineering went through their proposal. Mr. King said on the golf course corner he based his proposal on the understanding that it would be good to move the road away from the property owner on the corner. Mr. King said he noticed that from the top of the hill the road veers to the south to miss the pond area. Mr. King said he started at the top of the hill and began to bring the road to the north as they travel to the east so when they come to the corner they have moved about a half a road way width north. He said they propose to redo the surface with granular borrow and road base so the excavation involved would be used as fill out into the ravine where the pond is. He believes they can do this without encroaching onto the pond. Mr. King said it doesn't look like it holds much water. Mayor Baker said it used to hold much of the water that drained off 500 South but since Vernal City put the new drain in they don't have as much going into this pond. Councilman Kitchen said he thinks another property owner pulls water out of this pond. Councilman Kitchen wanted to know whose property they would be encroaching on as they pull the road to the north. Mr. King said he didn't know, he did not check that far into it. Mr. King said they plan to take out the existing catch basin

and replace it with a new one on the inside radius of the road way and put in a few hundred feet of curb and gutter to channel the water to the drainage structure and define the road way on the inside radius. Mr. King said the estimate could be less if they cut a hundred feet off the east/west leg. Mr. King said the power pole would need to be relocated. Ryan Cook asked about the fire hydrant that is there. Mr. King said he didn't see the fire hydrant and doesn't have anything for relocation.

Mr. King explained their proposal for 1500 South. Mr. King said he approached it as realigning the road vertically. Mr. King said the problem of ponding is due to the berm that separates the ditch from the road way. He said as he parked his car and walked down into the ravine and lined up the top of the hill with the next crest beyond, what he saw just above the crest was the bumper of his pickup and he thought there would be a foot to a foot and a half of road they could take out and this would take out the swell that exists there. Mr. King said this would require some changes to the driveways on the south but he thought it would help those property owners because they now have to climb up and over the ditch to get onto the road. Mr. King said they will have about 900' of road way they would be redoing to raise that area.

Mayor Baker said they needed this extra bid to determine what it would cost to fix these areas. Mr. King said they received very different estimates. Mayor Baker said that was okay because it gave them an idea of what can be done. Mayor Baker said they now have an idea what budget they need. Mayor Baker questioned which area would be most vital and determined it would depend on who travels it. Ryan Cook said, as far as deterioration, 1500 South is the worst but if you are talking safety, 500 East would be the priority. After some discussion, Councilman Hall said he would like to know what Craig thinks of the proposals and would like Craig and Jim to review all of the proposals and bring back their recommendations. Councilman Olsen **moved** to give this information back to the road department and Craig for their review and to have them come back with a budget and their proposals for the best way to correct these areas. Robert Hall **seconded** the motion. The motion passed with all voting aye.

Jim Harper asked for approval to expend funds to replace the rear door at the City shop. Jim said they currently have a

***APPROVE EXPENDITURE
FOR REAR DOOR AT CITY***

double door which they will replace with a single door in order to install the new security locks. Jim said this will allow the door to open the right way and the bids include a door and frame, the two bids were \$815 and \$1,062.22. Councilman Hall wanted to know why they would take the higher bid over the lower one. Jim said the only reason might be the quality of the installation. Mayor Baker said when Jones Paint installed the front door at the shop they took out the old frame, put the new frame in, screwed it in with little screws and you could literally pull the whole door frame out. Mayor Baker said Ryan went back and made the frame more secure and he wanted to know if the same thing was going to happen with this door. Jim said the bid from S & H Glass was more because of their supplier, he thought they could take out the door themselves and save money. Councilman Kitchen said you can't do it for one bidder and not do it for the other. Mayor Baker wanted to know if Jim's bid documents were clear in making sure the two bidders understood that installing a new door meant then would take the old one out. Jim said he assumed so because when each of them looked at it they could see it was a double door and would have to be removed before a new one could be installed. Councilman Olsen said if it's the same door and the labor costs are less, they should accept the bid from Jones Paint. Councilman Kitchen said if it's the quality of work in question then whoever inspects it should make sure the work is acceptable. Gordon Kitchen **moved** to accept the low bid. Robert Hall **seconded** the motion. The motion passed with the following vote:

Dan Olsen	Aye
Robert Hall	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Councilman Kitchen said he might want to clarify with Jones Paint that the bid includes removal of the old door before he lets them begin work.

Jim said the road department has looked at several different road survey equipment options and received demonstrations on them. He was presented the Council with the lowest bid they received , which was \$9,011.20, and stated it was also the easiest to use. Councilman Olsen asked him to clarify what they need this for. Jim said they would be using it to locate and keep track of street signs, road striping, storm

SHOP

APPROVE EXPENDITURE FOR ROAD SURVEY EQUIPMENT

drains, pipes, and chip sealing of the roads. He said it should save them a great deal of time. Councilman Kitchen said it sounds more like an inventory tool more than a survey tool. Councilman Hall wanted to know if they install it in a vehicle. Jim said they could or they can just carry it with them. Jim also pointed out that there are annual charges of \$400 for the equipment. Councilman Hall wanted to know how they were going to learn it. Jim said an eight-hour training class is included with the purchase. Mayor Baker wanted to know if Chris would be able to pull the data they are going to collect and use it. Jim said he has been working with Chris and getting the best program for them. Councilman Hall wanted to know if they have the budget for it. Jim said he does. Kenneth Reynolds **moved** to approve \$9,011.20. Robert Hall **seconded** the motion. The motion passed with the following roll call vote:

Dan Olsen	Aye
Robert Hall	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Mayor Baker said he has been thinking about whether or not a change needed to be made in the employee status and wage for Jim Harper. Mayor Baker said he has talked with Craig about it and wanted to discuss the matter with the Council. Mayor Baker said he has not discussed the matter with Jim yet. Councilman Kitchen said he thought department heads should be exempt positions if they fit the definition. Councilman Kitchen said it doesn't really change anything in the way you do business, you are there, you do the job and you leave. Councilman Kitchen said if they meet the qualifications then all department heads, as their department expands, should be exempt. Mayor Baker said the road department is now up to three and he can't see it changing. Mayor Baker said Jim is compensated for his forty hours now and the only issue they might have is during snow removal season. Mayor Baker asked Jim what his thoughts were. Jim wanted to know if this would mean any supervisor after him would be exempt and he wanted to know about the budget they just approved for overtime, would that be giving the road crew a raise and he wouldn't get that. Mayor Baker said just because it was budgeted doesn't mean they will spend it. Councilman Hall said that still has to be controlled. Jim said if they change it then he wouldn't get any overtime. Councilman Kitchen said there could always be a wage

***DISCUSSION TO CHANGE
ROAD SUPERVISOR TO
EXEMPT STATUS AND
WAGE TO SALARY***

adjustment in changing the status. Councilman Kitchen said they aren't ready to make that decision right now. Councilman Kitchen said the expectation is you will work more but the compensation could be a little more. Mayor Baker said they wanted to discuss if before making a decision. Ryan Cook wanted to know what the benefits would be for Jim or the City or what the pros and cons are. Mayor Baker said the benefit to the City would be those times they are called upon to put in extra hours in an emergency. Councilman Kitchen said it also helps control comp time. He said they are not trying to take money out of his pocket, and they would adjust the salary to compensate. Mayor Baker said they are not trying to do one or the other just wanted to discuss it. Councilman Olsen said they need to decide what their expectation of Jim is, are they wanting him to be in the snowplow plowing snow or is he calling Ryan to come and plow the roads. Councilman Olsen said they need to decide what their expectation of Jim is, if they expect him to be in the snowplow then he should stay hourly, but if they expect him to call out someone else because he is the department head then they should make him salary. Councilman Kitchen said their expectation is he is out there working so they should leave it as is. Mayor Baker said he thinks he qualifies but he didn't know if they were ready to make that decision. Councilman Kitchen said with what their expectations are at this point it would be better to leave it the way it is. Councilman Olsen said he didn't think they have enough employees that he could sit back and not scrape snow at times. Mayor Baker said, as it stands now, he is managing the road department but he still needs to get out and help and plow snow. Mayor Baker said if Jim is hourly, even though he is managing the department, he is expected to be out helping and doing. No action was taken on this matter.

Mayor Baker said he hasn't had enough time to review the travel and training submissions given by the department heads. Councilman Kitchen said they can't really have a discussion because several of the department heads are not there. Mayor Baker said he was glad to have the information but not ready for much of a discussion. Councilman Kitchen asked Jim about the information he submitted. He wanted to know if Jim had eight training classes he wanted to send his people to. Jim said it varies, this year they are trying to get Szeth more training. Jim said it also depends on which certifications have expired as to what is needed that year. Jim said they try and work within their budget, the classes offered and the needs of the department. Councilman Olsen

***REVIEW DEPARTMENT
HEAD TRAVEL AND
TRAINING SUBMISSIONS***

said if you look at what Chris Hoem submitted he could potentially be out of town three or four days every month. Councilman Olsen said he didn't think the employees were abusing it and the Council should be able to control it by what is allotted in the budget. Councilman Olsen said it comes back to budgeting and trusting the department head to know what is needed. Mayor Baker said the department head submits a budget but the Council doesn't know what is included in the amount requested and if it's really needed as part of what would help them in their job. Mayor Baker thought maybe this should be part of the budgeting process. Councilman Olsen didn't feel like there was anyone in the City that was abusing travel or conferences. Jim said he sometimes sends more than one person to travel but it's helpful because you get different viewpoints or information. Councilman Olsen said the department head needs to look at it and prioritize their needs. Councilman Kitchen said they aren't really going to get anywhere with this and thought they might need to readdress it during the budget process. Councilman Hall said it wasn't so much a budget thing as it was hours out of the office. Councilman Olsen said that is where it comes back to the department head to make that decision.

Councilman Hall asked Jim if he knew if Craig was able to get with Jeremy Raymond on the remodel at the fire station. Jim said he thinks he was able to meet with him.

OTHER MATTERS

Nikki Kay asked if anyone wanted to attend the Uintah Basin Energy Summit so she knew how many to pay for. Councilman Long said he would already be there and no one else said they could attend.

With no other business before the Council, Gordon Kitchen **moved** to adjourn the meeting at 10:00 p.m. Dan Olsen **seconded** the motion. The meeting was adjourned.

MOTION TO ADJOURN

APPROVED BY COUNCIL ON THE 26th DAY OF SEPTEMBER 2013

BY: _____

ATTEST: _____